

### Remarks

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Express  
New

Claims 1 and 3-6 are rejected under 35 USC 103(a) as being unpatentable over Madsen in view of Amadera. The Examiner has combined switch 14c and a handpiece with bristles from Amadera into the disclosure of Madsen without pointing to a teaching or suggestion in the references which would have motivated one skilled in the art to make such a combination. Such hindsight reconstruction of Applicant's invention is not allowed.

The Examiner asserts that some air would inherently be entrained in the slurry of Madsen upon its exit from the container. Assuming arguendo this to be true, any minimal amount of air in the slurry would not be *pressured* air that would be sprayed on the teeth. As such, and in view of the remarks of the previous paragraph, claims 1 and 3-6 are not obvious in view of these two references.

Some →

Claims 1, 3-6 and 26 are rejected under 35 USC 103(a) as being unpatentable over Blake in view of Amadera. The Examiner has combined a handpiece with bristles from Amadera into the disclosure of Blake without pointing to a teaching or suggestion in the references which would have motivated one skilled in the art to make such a combination. Such hindsight reconstruction of Applicant's invention is not allowed.

Further, Applicant repeats the argument made previously. That is, the dental cleaning apparatus of Blake would not work with bristles because the canister C1, which acts as a handle, is at the wrong angle relative to the nozzle assembly 28 to allow the apparatus to be used to brush teeth. Canister C1 would need to be substantially aligned with nozzle 28 in order for the apparatus to be used to also brush teeth (see Fig. 13 of Applicant's specification). The Blake apparatus is only designed for spraying a bubble foam laden with abrasive particles onto teeth. It is not designed to enable tooth brushing, nor would it work properly as a toothbrush. The entire design would need to be modified. Applicant does not believe, therefore, that it would have been obvious to merely slap bristles onto the Blake apparatus, because it is not designed as a toothbrush.

Claims 7, 8, 23 and 24 are rejected under 35 USC 103(a) as being unpatentable over Madsen in view of Hines. Claim 7 has been amended to indicate that the slurry and air exit the container at a location above a surface of the slurry. Support for this amendment is provided in figure 3. In Madsen, the slurry exits the container at a location below a surface of the slurry. As such, amended claim 7 and claims 8, 23 and 24 are not obvious in view of these two references.

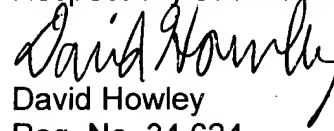
Claims 14-21 and 25 are rejected under 35 USC 103(a) as being unpatentable over Madsen in view of Otanti. Claim 14 has been amended the same as claim 7, calling for the slurry and air to exit the container at a location above a surface of the slurry. Support for this amendment is provided in figure 3. In Madsen, the slurry exits the container at a location below a surface of the slurry. As such, amended claim 14 and claims 15-21 and 25 are not obvious in view of these two references.

Claims 9 and 13 are rejected under 35 USC 103(a) as being unpatentable over Madsen in view of Hines and Blake. These two claims depend from claim 7 and are patentable for at least the reasons provided two paragraphs above.

Applicant thanks the Examiner for indicating the allowability of claims 10-12 and 27-30. In view of the foregoing amendments and remarks, Applicant requests that claims 1, 3-21 and 23-30 be allowed. Please contact the undersigned at the phone number below if a phone call would help to resolve any remaining issues.

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Respectfully submitted,



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